GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PRED – Sri J. Abdul Kareem Saheb, the then AEE, PR, Sub-Division, Gorantla, Anantapuramu District - Allegations of non-submission of Annual Property Returns; failure to give satisfactory account for the case of Rs.10,000/- found in house during the search by ACB and; keeping M-Books and other important documents in his house - Disciplinary action initiated - Inquiry conducted –Charge partly proved - Imposition of penalty reduction of pay to one stage in his time scale pay permanently – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 137 **Dated: 16-03-2021**

Read the following:-

1. Govt.Memo.No.9431/Vig-II/A1/2008-2 PR&RD(Vig-II)Dept., Dated:28-01-2009.
2. Written Statement of Defence submitted by Sri J. Abdul Kareem Saheb, AEE, PR, Dt:05-10-2009.
3. G.O.Rt.No.435, PR&RD(Vig-II)Dept.,Dt:10-05-2016.
4. From Sri K. Sahadeva Reddy, COI, D.O.Letter No.42/COI-KSR/2016, dated:23- 05-2018.
5. Govt.Memo.No.9431/Vig-II/A1/2008-11 PR&RD(Vig-II)Dept., Dt:30-08-2018.
6. From Sri J. Abdul Kareem Saheb, AEE, V&QC(PR),SD-I, Kurnool Dt:29-10-2018.
7. Govt. Letter No.9431/Vig-II/2008-14, PR&RD(Vig-II)Dept., Dt:09-12-2020.
8. From the Secretary, APPSC, Vijayawada Lr.No.420/DC&C/2020, Dt:27-01-2021.

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O R D E R:

On the allegations of non-submission of Annual Property Returns; failure to give satisfactory account for the case of Rs.10,000/- found in house during the search conducted by the ACB and; keeping M-Books and other important documents in his house, disciplinary proceedings under Rule 20 of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 have been initiated against Sri J. Abdul Kareem Saheb, the then AEE, PR, Sub-Division, Gorantla, Anantapuramu District, and in the reference 1st read above, the following charge was issued against him:-

That Sri Jangli Abdul Kareem Saheb, S/o K.Kamla Saheb, Assistant Executive Engineer, Panchayat Raj, Gorantla Sub-division, Ananthapur District joined in Government Service on 25-08-1981 as Work Inspector in the O/o the Rural Water Supply, Nandyal, Kurool District and while functioning as Assistant Executive Engineer, Panchayat Raj, Gorantla Subdivision, Ananthapur District during the period from 22-12-2004 to 20-04-2008, he committed grave misconduct in as much as he failed (1) to account for the cash Rs.10,000/- which was found in his house during the house search and (2) to submit annual property returns to competent authority and (3) important registers viz., M.Books and other records which were found in his house during the house search instead of keeping the same in the office of Panchayat Raj of Gorantla and failed to maintain absolute integrity in violation A.P.C.S(Conduct) Rules, 1964.

(contd.P.2)

Thus Sri Jangli Abdul Kareem Saheb, by the above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming on part of a Government servant thereby contravened Rule 3(1)(2), Rule 9 (7) & 9 (8-A) of A.P.C.A(Conduct) Rules, 1964.

2. The Charged Officer has submitted his written statement of defence vide reference 2nd read above, and the same was not convincing. Hence, the case was entrusted to General Administration (COI) Department, for conducting detailed inquiry. Accordingly, in the reference 3rd read above, orders were issued appointing Sri K. Sahadeva Reddy, Member, Commissioner of Inquiries, General Administration (COI) Department as Inquiry Authority to inquire into the charge framed against Sri J. Abdul Kareem Saheb, the then AEE, PR, Sub-Division, Gorantla, Anantapur District.

3. In the reference 4th read above, Sri K. Sahadeva Reddy, COI., Inquiry Officer has submitted his enquiry report, holding that the charge is partly proved against Charged Officer. The findings of Inquiry Officer are that (i) admittedly, an amount of Rs.10,000/- was found in the house of the Charged Officer's contention that the amount was drawn from his salary account and kept in the house to meet day-to – day expenses appears tenable as it is not unreasonable to keep an amount of Rs.10,000/- drawn from his salary account by the Charged Officer in his house. Therefore, this part of the charge cannot be held established. (ii) With regard to the submission of Annual Property Statements there is nothing on record to show that the Charged Officer has submitted Annual Property Statements to the competent authority except that he has stated that the enclosed copies of Annual Property Returns to his written statement of defense of the Charged Officer submitted to the Disciplinary Authority (Copies enclosed to the Written brief submitted by him to the Inquiring Authority) do not reveal anything in support of the same being submitted by the Charged Officer to the competent authority. Therefore, this part of the charge is established. (iii) Regarding the M.Books found in the house of the Charged Officer, the contention of the Charged Officer that as per procedure the M.Books are to be returned by the Executive Engineer which will in turn be forwarded to the Assistant Executive Engineer through the Deputy Executive Engineer under acknowledgement and no such acknowledgements in token of transmission of the M.Books were available and as such the M.Books were with the contractor which were produced by the contractor during post trap proceedings does not appear to be tenable. The Charged Officer as Assistant Executive Engineer is the custodian of the M.Books and in fact he has admitted in the written explanation submitted to the disciplinary authority that the M.Books were found in his house and stated that there is no ulterior motive in keeping the said M.Books in his house. Therefore, the part of the charge that the M.Books were found in the house of the Charged Officer during the house search is established."

4. Government, after examining the said inquiry report, have decided to agree with the findings of Inquiry Officer, and accordingly communicated a copy of inquiry report to the Charged Officer and directed to submit his representation on the enquiry report vide reference 5th read above.

5. In the reference 6th read above, Sri J. Abdul Kareem Saheb, the then AEE, PR, Sub-Division, Gorantla, Anantapuramu District has submitted his representation on the findings of the inquiry report and the same is not convincing as he didn't submit any valid grounds/new grounds than those what he has submitted earlier before the Inquiring Authority.

(contd.P.3)

6. Government after examining the matter and the explanation submitted by the Charged Officer, keeping in view of findings of Inquiring Authority, have observed that the charge framed against the Charged Officer is partly proved. Therefore, it has been provisionally decided to impose the penalty reduction of pay to one stage in his time scale pay permanently as prescribed under Rule 9 (vii)(a) of APCS (CC&A) Rules, 1991, against Sri J. Abdul Kareem Saheb, the then AEE, PR, Sub-Division, Gorantla, Anantapuramu District, as explanation submitted by Charged Officer is not convincing. Accordingly, the concurrence of APPSC has been obtained vide reference 7th read above.

7. Government, after careful examination of the matter hereby order to impose the penalty reduction of pay to one stage in his time scale pay permanently under Rule 9 (vii)(a) of APCS (CC&A) Rules, 1991, against Sri J. Abdul Kareem Saheb, the then AEE, PR, Sub-Division, Gorantla, Anantapuramu District, since the charge is partly proved.

8. The Engineer-in-Chief, Panchayat Raj, Vijayawada shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri J. Abdul Kareem Saheb, the then AEE, PR, Sub-Division, Gorantla, Anantapuramu District (through ENC, PR, Vijayawada)
The Engineer-in-Chief, Panchayat Raj, Vijayawada (in duplicate with a request to obtain and furnish the dated acknowledgment of the orders)
Copy to:
The Director General, ACB, Vijayawada (w.r.t.Cr.No.4/RCT-ATP/08 dt:7-12-2015)
The Secretary, APVC, Secretariat Building-5, Velagapudi.
The Secretary, APPSC, Vijayawada (w.r.t letter No.420/DC&C/2020, dated:27-01-2021)
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER